

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Garron LaDon Norris, #281530,)	C/A No. 1:19-245-JFA-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Warden Mr. Joyner; and Major Mr. Ray,)	
in their official capacities,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff in an inmate with the South Carolina Department of Corrections. In April 2018, he was housed at the Lee Correctional Institution when a riot occurred at the prison. The plaintiff brings this action pursuant to 42 U.S.C. § 1983 alleging that as a result of the defendants' failure to provide adequate security and supervision, the plaintiff now suffers from post-traumatic stress disorder. He seeks monetary damages and injunctive relief.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation wherein she suggests that this court should dismiss the action with prejudice for failure to state a claim upon which relief can be granted. The Report sets forth

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The Magistrate Judge issued an order in this case on February 6, 2019 (ECF No. 8) advising the defendant that he could correct the defects in his complaint by filing an amended complaint. The Magistrate Judge then granted the plaintiff's motion to extend time to file an amended complaint, which was ultimately filed on March 21, 2019.

The plaintiff was also advised of his right to file objections to the Report and Recommendation, which was entered on the docket on April 29, 2019 (ECF No. 21). However, the plaintiff did not file objections and the time within which to do so has now expired. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The court must "only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

The Magistrate Judge suggests that the plaintiff's amended complaint (ECF No. 17) fails to correct the previously noted deficiencies, and like the original complaint, fails to state a claim upon which relief can be granted.

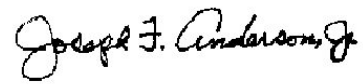
After carefully reviewing the applicable laws and the record in this case, this court accepts the Magistrate Judge's Report and Recommendation and finds that that the Report fairly and accurately summarizes the facts and applies the correct principles of law.

Accordingly, this action is dismissed with prejudice for failure to state a claim upon

which relief can be granted.

IT IS SO ORDERED.

May 29, 2019
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge